

1 BILL NO. G-84-03-12

2 GENERAL ORDINANCE NO. G-

3 AN ORDINANCE amending the Thoroughfare
4 Plan of the City Comprehensive Plan ("Master")
5 Plan by vacating a street thereof.

6 WHEREAS, a petition to vacate a portion of a public street
7 within the City of Fort Wayne (as more specifically described below) was
8 duly filed with the City Plan Commission; and

9 WHEREAS, said Commission duly held a public hearing thereon;
10 and,

11 WHEREAS, said Commission had duly forwarded its recommendation
12 to this body approving said petition, all in accordance with I.C.
13 36-7-4-512(2) and this body having held a public hearing on said vacation
14 as provided in I.C. 36-7-3-12; and,

15 WHEREAS, this body concurs in the recommendation of the
16 City Planning Commission.

17 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
18 THE CITY OF FORT WAYNE, INDIANA:

19 SECTION 1. That the petition filed herein to vacate a
20 portion of a public street within the City of Fort Wayne, more specifically
21 described as follows, to-wit:

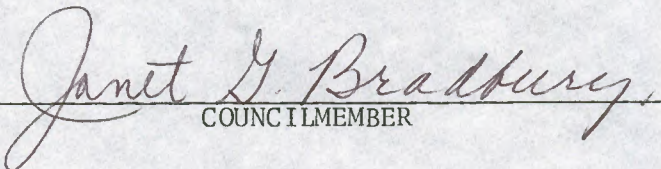
22 Beginning at the intersection of the south property line
23 of First Street and the east property line of Cass Street;
24 thence easterly on and along the south property line of
25 First Street a distance of 120 feet; thence northerly
26 a distance of 50 feet; thence westerly on and along the
27 north property line of First Street a distance of 120 feet
28 to the northeast corner of Cass and First Streets; thence
29 northerly on and along the east property line of Cass
30 Street a distance of 300 feet to the southeast corner of
31 Second and Cass Streets; thence westerly a distance of
32 50 feet to the southwest corner of Second and Cass Streets;
thence southerly on and along the west property line of
Cass Street a distance of 300 feet to the northwest corner
of First and Cass Streets; thence westerly on and along
the north property line of First Street a distance of
135 feet to the northeast corner of First Street and a
12 foot alley between First and Second Streets and Wells
and Cass Streets; thence southerly a distance of 50 feet
to the southeast corner of First Street and a 12 foot alley
between First Street and the Penn-Central R.R. and Wells
Street and Cass Street; thence easterly on and along the
south property line of First Street a distance of 135 feet
to the southwest corner of First Street and Cass Street;

1 Page two

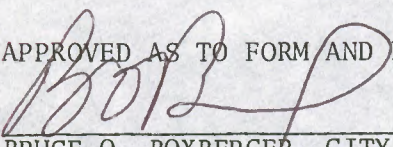
2 thence southerly on and along the west property
3 line of Cass Street a distance of 150 feet; thence
4 easterly a distance of 50 feet to the east property
5 line of Cass Street; thence northerly on and along the
6 east property line of Cass Street a distance of 150 feet
7 to the point of beginning

8 and which vacating amends the Thoroughfare Plan of the City Comprehensive
9 ("Master") Plan and is hereby approved in all respects.

10 SECTION 2. That this Ordinance shall be in full force and
11 effect from and after its passage, any and all necessary approval by the
12 Mayor.

13
14 
15 COUNCILMEMBER

16 APPROVED AS TO FORM AND LEGALITY:

17 
18 BRUCE O. BOXBERGER, CITY ATTORNEY

19 ** Public hearing to be held on _____, the _____
20 day of _____, 1984, in the Council Chambers.

21
22
23
24
25
26
27
28
29
30
31
32

Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Bradbury, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.

DATE: 3-13-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Redd, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 5-15-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 11-08-84 on the 15th day of May, 1984,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Ray A. Ebert
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 16th day of May, 1984, at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 21st day of May, 1984, at the hour of 10 o'clock A. M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

ORIGINAL

Admn. Appr. _____

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Street Vacation Ordinance

G-84-03-12

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE Portion of Cass Street extending from the south right-of-way
of Second Street to 150' south of the south right-of-way line of First Street. Portion
of First Street beginning 135' west of west right-of-way of Cass Street and extending
east for a distance of 305'.

EFFECT OF PASSAGE Property is now public right-of-way. Property will be closed
to public and revert to adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain public right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____



The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

9 April 1984

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) street vacation ordinance acted upon by the City Plan Commission at their regular meeting held March 26, 1984. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-84-03-12
2. Intended Use: Vacated right-of-way will be utilized for the expansion of RKO Bottlers.
3. Plan Commission Recommendation: DO PASS

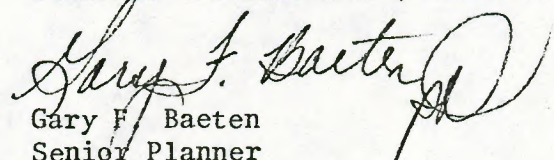
This ordinance received a DO PASS recommendation for the following reason:

REASON: The vacation as proposed will not landlock any parcel of real estate.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

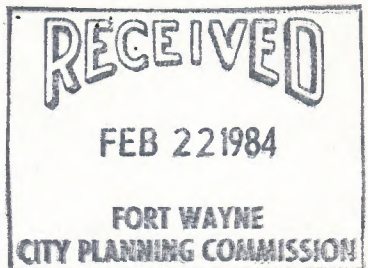
COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments .

PETITION TO VACATE PORTION OF STREETS



To: The City Plan Commission
City of Fort Wayne, Indiana

The undersigned petitioner does hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following portions of the public streets within the City of Fort Wayne, Indiana and hereby described as follows:

Beginning at the intersection of the south property line of First Street and the east property line of Cass Street; thence easterly on and along the south property line of First Street a distance of 120 feet; thence northerly a distance of 50 feet; thence westerly on and along the north property line of First Street a distance of 120 feet to the northeast corner of Cass and First Streets; thence northerly on and along the east property line of Cass Street a distance of 300 feet to the southeast corner of Second and Cass Streets; thence westerly a distance of 50 feet to the southwest corner of Second and Cass Streets; thence southerly on and along the west property line of Cass Street a distance of 300 feet to the northwest corner of First and Cass Streets; thence westerly on and along the north property line of First Street a distance of 135 feet to the northeast corner of First Street and a 12 foot alley between First and Second Streets and Wells and Cass Streets; thence southerly a distance of 50 feet to the southeast corner of First Street and a 12 foot alley between First Street and the Penn-Central R.R. and Wells Street and Cass Street; thence easterly on and along the south property line of First Street a distance of 135 feet to the southwest corner of First Street and Cass Street; thence southerly on and along the west property line of Cass Street a distance of 150 feet; thence easterly a distance of 50 feet to the east property line of Cass Street; thence northerly on and along the east property line of Cass Street a distance of 150 feet to the point of beginning.

In support thereof, your petitioner would represent as follows:

1. That all adjacent property owners have signed this petition and are the only owners of the real estate bordering both sides of the streets in question.
2. That the streets are not necessary as ingress or egress to other properties whatsoever, and residents and businesses in the area will have ample access to their properties without the use of said streets.
3. That no other person, firm or corporation is interested in or affected by the requested vacation.

4. That the maintenance of said streets is not necessary or advantageous to the growth of the City of Fort Wayne, and that vacation of said streets would be in the best interests of the City and the citizens thereof.

Your petitioner files this petition pursuant to the authority granted in Indiana Code, Section 36-7-4-512 in order to complete the vacation as above described.

WHEREFORE, your petitioner prays that the above described streets be vacated according to the provisions of the Indiana law pertaining thereto.

Dated this 22d day of February, 1984.

PETITIONER
RKO BOTTLERS OF
FORT WAYNE, INC.

Adjacent Property Owner's
Signature

Robert Conti (SDH)
By: Robert Conti
1207 North Harrison
Fort Wayne, IN 46801

Adjacent Property Owner's
Address

GALLUCCI, HOPKINS &
THEISEN, P.C.

Adjacent Property Owner's
Signature

John C. Theisen
By: John C. Theisen
600 Lincoln Bank Tower
Fort Wayne, IN 46802
(219) 424-3800

Adjacent Property Owner's
Address

ATTORNEYS FOR PETITIONER

Adjacent Property Owner's
Signature

Adjacent Property Owner's
Address

STREET

31
33
35

32
34
36

STREET

86	85	84	83	82	81
----	----	----	----	----	----

STREET

SECOND

STREET

37
39
41
43
45
47

135	38	50
"	40	"
"	42	"
"	44	"
"	46	"
50	48	50

300

42	"	"	"	"	42
144 75	76	77	78	79	80 144
VACATED ALLEY					
144 74	73	72	71	70	69 144
42	"	"	"	"	42

HARRISON

WELLS

FIRST

STREET

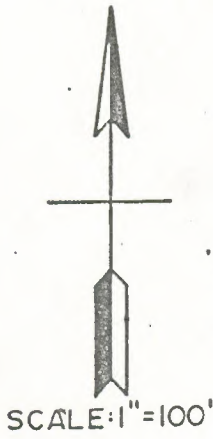
49
51

135	50	50
50	52	50
50	54	50
50	56	50
50	58	50

150

50	65	50
50	64	50
50	63	
50	62	
50	61	
50	60	

66	68
----	----



CASS



STREET TO BE VACATED

R E S O L U T I O N

WHEREAS, RKO Bottlers of Fort Wayne, Inc. have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Fort Wayne, Allen County, to wit:

Beginning at the intersection of the south property line of First Street and the east property line of Cass Street; thence easterly on and along the south property line of First Street a distance of 120 feet; thence northerly a distance of 50 feet; thence westerly on and along the north property line of First Street a distance of 120 feet to the northeast corner of Cass and First Streets; thence northerly on and along the east property line of Cass Street a distance of 300 feet to the southeast corner of Second and Cass Streets; thence westerly a distance of 50 feet to the southwest corner of Second and Cass Streets; thence southerly on and along the west property line of Cass Street a distance of 300 feet to the northwest corner of First and Cass Streets; thence westerly on and along the north property line of First Street a distance of 135 feet to the northeast corner of First Street and a 12 foot alley between First and Second Streets and Wells and Cass Streets; thence southerly a distance of 50 feet to the southeast corner of First Street and a 12 foot alley between First Street and the Penn-Central R.R. and Wells Street and Cass Street; thence easterly on and along the south property line of First Street a distance of 135 feet to the southwest corner of First Street and Cass Street; thence southerly on and along the west property line of Cass Street a distance of 150 feet; thence easterly a distance of 50 feet to the east property line of Cass Street; thence northerly on and along the east property line of Cass Street a distance of 150 feet to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on March 19, 1984 at 7:00P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

WHEREAS, said vacation of the street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana:

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

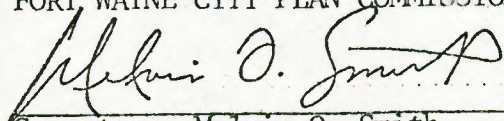
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of street in Allen County, Indiana.

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held March 19, 1984, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 27th DAY OF March 1984

FORT WAYNE CITY PLAN COMMISSION


Secretary, Melvin O. Smith

11

RESOLUTION 74-19-10

WHEREAS, RKO Bottlers of Fort Wayne, Inc. have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street situated in Fort Wayne, Allen County, to-wit:

Beginning at the intersection of the south property line of First Street and the east property line of Cass Street; thence easterly on and along the south property line of First Street a distance of 120 feet; thence northerly a distance of 50 feet; thence westerly on and along the north property line of First Street a distance of 120 feet to the northeast corner of Cass and First Streets; thence northerly on and along the east property line of Cass Street a distance of 300 feet to the southeast corner of Second and Cass Streets; thence westerly a distance of 50 feet to the southwest corner of Second and Cass Streets; thence southerly on and along the west property line of Cass Street a distance of 300 feet to the northwest corner of First and Cass Streets; thence westerly on and along the north property line of First Street a distance of 135 feet to the northeast corner of First Street and a 12 foot alley between First and Second Streets and Wells and Cass Streets; thence southerly a distance of 50 feet to the southeast corner of First Street and 12 foot alley between First Street and the Penn-Central R.R. and Wells Street and Cass Street; thence easterly on and along the south property line of First Street a distance of 135 feet to the southwest corner of First Street and Cass Street; thence southerly on and along the west property line of Cass Street a distance of 150 feet; thence easterly a distance of 50 feet to the east property line of Cass Street; thence northerly on and along the east property line of Cass Street a distance of 150 feet to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street hereinbefore described by and the same is hereby approved subject to easements as required by all public utilities occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, David J. Kiester, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held 4/4/1984 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 4th DAY OF April 1984

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiester

Chairman, David J. Kiester

Betty R. Collins

Member, Betty R. Collins

Member, Frank W. Heyman

SEWER MAINTENANCE AGREEMENT

THIS AGREEMENT by and between RKO BOTTLERS OF FORT WAYNE, INC., hereinafter referred to as "RKO," and the CITY OF FORT WAYNE, INDIANA, acting by and through its Board of Public Works, hereinafter referred to as "CITY,"

WITNESSETH:

WHEREAS, "RKO" is the owner of all land abutting on and adjoining Cass Street between Second Street and 150 feet South of First Street and First Street between the first alley West of Cass Street and the first alley East of Cass Street, in the City of Fort Wayne, Allen County, Indiana, and,

WHEREAS, the vacation of the aforementioned portion of Cass Street and First Street has been determined to be in the best interest of all parties by "RKO," the Fort Wayne City Plan Commission and the Common Council of the City of Fort Wayne, Indiana; and,

WHEREAS, there is located within said described Cass Street and First Street storm sewer facilities servicing exclusively land owned by "RKO;"

NOW, THEREFORE, it is agreed among the parties in consideration of the foregoing and of the mutual consideration hereinafter contained as follows:

1. "RKO" agrees to assume and does hereby assume the full responsibility for the maintenance, repair and any necessary reconstruction of any and all storm sewer facilities now located in Cass Street and First Street as hereafter described.
2. The sewers which are subject to this agreement are those sewers extending from manhole located in First Street through Cass Street to the Eastern terminus of said sewers located in the first alley East of Cass Street.
3. "CITY" agrees to deliver responsibility for such maintenance, repair or reconstruction to "RKO" and to continue acceptance of storm water discharge on the same basis as from other sewers maintained by the "CITY" itself.
4. This agreement shall be binding upon any successor to "RKO" who purchases facilities served by said sewers.

By

ATTEST:

Natalie Quarnick

BOARD OF PUBLIC WORKS

David J. Kiester, Chairman

Betty R. Collins, Member

Frank Heyman, Member

ATTEST:

[illegible]

Before me, the undersigned, a Notary Public, in and for said County and State, personall appeared ROBERT CONTI JR. and _____, respectively of RKO BOTTLERS, OF FORT WAYNE, INC., and acknowledged the execution of the above and foregoing Sewer Maintenance Agreement as their free and voluntary act as the duly authorized officers of said corporation.

WITNESS my hand and notarial seal this 17 day of APRIL, 1984.

Notary Public

My Commission Expires:

Dec 11, 1984

STATE OF INDIANA)
)SS
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State personally appeared David J. Kiester, Chairman, Betty R. Collins, Member and Frank Heyman, Member, and acknowledged the execution of the foregoing Sewer Maintenance Agreement as their free and voluntary act as the duly authorized Members of the Board of Public Works of the City of Fort Wayne, Indiana, for the uses and purposes therein stated.

Notary Public

My Commission Expires:

L. SETTIMO McMAHON
NOTARY PUBLIC STATE OF INDIANA
ALLEN CO.
MY COMMISSION EXPIRES MARCH 2, 1988
ISSUED THRU INDIANA NOTARY ASSOC.

This instrument prepared by:
C. Duane Embury, P.E., Chief
Water Pollution Control Engineer
CITY OF FORT WAYNE

BILL NO. G-84-03-12

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the Thoroughfare Plan of the City Comprehensive
Plan ("Master") Plan by vacating a street thereof

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

JANET G. BRADBURY, CHAIRWOMAN

SAMUEL J. TALARICO, VICE CHAIRMAN

CHARLES B. REDD

MARK E. GIAQUINTA

JAMES S. STIER

Janet G. Bradbury

Samuel J. Talarico

Charles B. Redd

Mark E. Giaquinta

James S. Stier

RECEIPT

Date 2/3 1981 No. 15905

Received From

Wallucci & Hopfinger, Attys.

Address

600 Indiana Bank Tower

Fifth and 1001 100

Dollars 50.00

For

West Yacations Coast St.

Net 1st & 2nd.

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT	<u>50.00</u>	CASH	
AMT. PAID	<u>50.00</u>	CHECK	<u>1329</u>
BALANCE DUE	<u>—</u>	MONEY ORDER	

By

Harry Sawyer

Prescribed by State Board of Accounts

J. E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 10641

FT. WAYNE, IND.

3/1 1984

RECEIVED FROM

William & Hopkins & Assoc. \$ 57.00

THE SUM OF

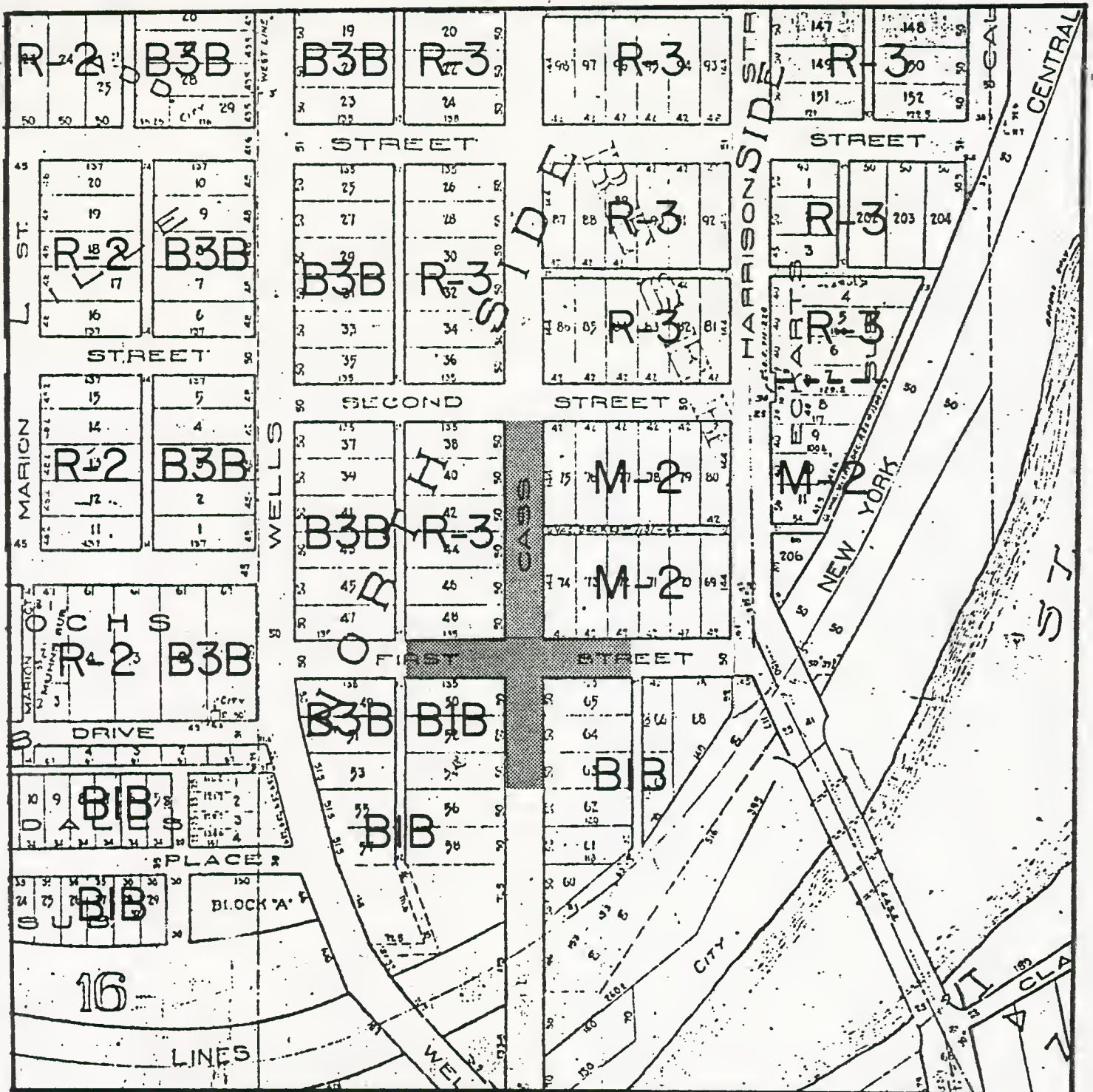
57.00 DOLLARS

ON ACCOUNT OF

City of Ft. Wayne - (K.O.)

AUTHORIZED SIGNATURE

[Signature]



 AN APPEAL TO VACATE PORTION
 OF A PUBLIC STREET.

G-84-03-1

MAP NO. L-10, M-10





The City of Fort Wayne

May 1, 1984

Ms. Trudy Sterling
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the date of May 4, 1984, in both the News Sentinel and Journal Gazette.


RE: Legal Notice for Common Council
of Fort Wayne, IN.

Bill No. G-84-03-12
Street Vacation

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,


Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

NOTICE OF PUBLIC WORKS
FORT WAYNE COMMON COUNCIL
(BILL NO. G-84-03-12)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, May 15, 1984, at 7:30 P.M., in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Beginning at the intersection of the south property line of First Street and the east property line of Cass Street; thence easterly on and along the south property line of First Street a distance of 120 feet; thence northerly a distance of 50 feet; thence westerly on and along the north property line of First Street a distance of 120 feet to the northeast corner of Cass and First Streets; thence northerly on and along the east property line of Cass Street a distance of 300 feet to the southeast corner Second and Cass Streets; thence westerly a distance of 50 feet to the southwest corner of Second and Cass Streets; thence southerly on and along the west property line of Cass Street a distance of 300 feet to the northwest corner of First and Cass Streets; thence westerly on and along the north property line of First Street a distance of 135 feet to the northeast corner of First Street and a 12 foot alley between First and Second Streets and Wells and Cass Streets; thence southerly a distance of 50 feet to the southeast corner of First Street and a 12 foot alley between First Street and the Penn-Central R.R. and Wells Street and Cass Street; thence easterly on and along the south property line of First Street a distance of 135 feet to the southwest corner of First Street and Cass Street; thence southerly on and along the west property line of Cass Street a distance of 150 feet; thence easterly a distance of 50 feet to the east property line of Cass Street; thence northerly on and along the east property line of Cass Street a distance of 150 feet to the point of beginning.

All interested persons are invited to appear and be heard.

Fort Wayne Common Council

Sandra E. Kennedy
City Clerk

AGENT: John Theisen / 600 Lincoln Bank Tower / 02

NOTICES TO AREA RESIDENTS:

Pence / 1137 Wells St. / 08 Hauptman / 215 W. Third / 08
Deville / 3726 Sherman St. / 08
Richard / 1130 Wells St. / 08
Leggett / 4903 Indiana Ave / City 07
Schott / 5625 Dartmouth / 25
Green / 1120 Cass St. / 08
Keltsch / 3605 Autumn Lane / 06
Lommatzsch / 311 Third St / City 08
Koch / 1330 Wells St. / 08
Kenne1 / 1325 Cass St. / 08
Haene1 / 1324 Wells St. / 08
Sparkman / 623 Russell Ave / 08
Smethers / 908 Lavina St. / 04
Reed / 7723 Trentman Road / 16
O'Grady / 1307 Cass St. / 08
Bryan / 2179 Bellvue Dr. / 25
Blake / 208½ Second St. / 08
Lewis / 1138 Byron / Huntington, IN 46750
Carpenter / 216 Second St. / 08
Oliver / 220 Second St. / 08
Gebert/ 9212 Redfield Dr. / 19
Harkenrider / 1320 Cass St. / 08
Caldwell / 219 W. Third / 08
Reynolds / 209 W. Third / 08
Gardt / 207 W. Third / 08
Preble / 1419 Ludwig Rd. / 25

BILL NO. G-84-

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, IN 46802

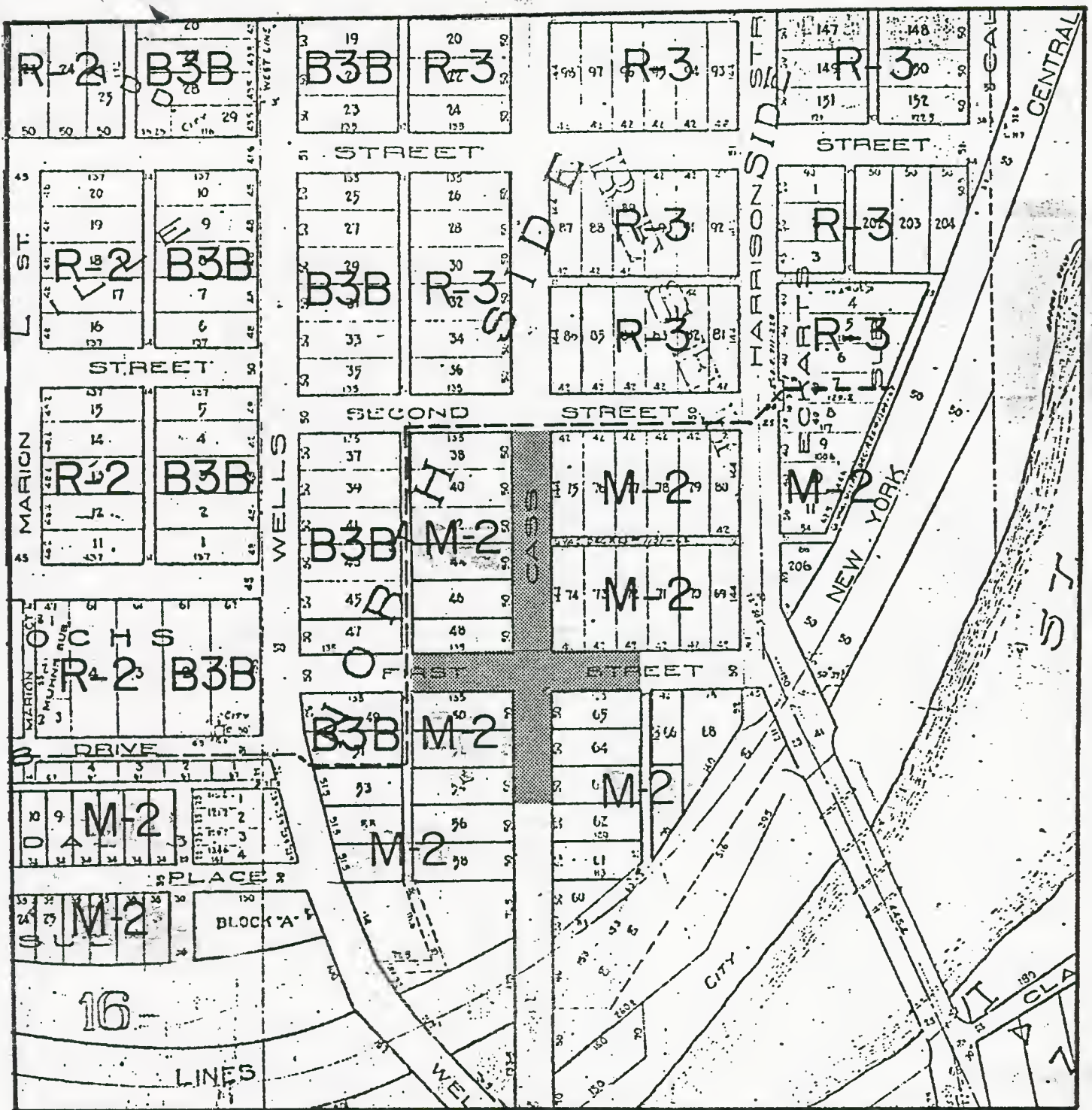
9 March 1984

NOTICE OF PUBLIC HEARING ON A STREET VACATION

You are hereby notified that the City Plan Commission will conduct a public hearing on Monday, March 19, 1984 at 7:00 P.M. (EST) in the Council Chambers, Room #126, City-County Building, One Main Street, Fort Wayne, Indiana, on the vacation of the following described street:

Portion of Cass Street extending from the south right-of-way of Second Street to 150 feet south of the south right-of-way line of First Street. Portion of First Street beginning 135 feet west of west right-of-way of Cass Street and extending east for a distance of 305 feet.

All interested persons are invited to appear and be heard. Any written material may be submitted to the Plan Commission Office prior to the hearing.



 AN APPEAL TO VACATE PORTION
OF A PUBLIC STREET.

6-84-03-12

MAP NO. L-10, M-10

BY G.R. LAX 2-9-81



NOTICE OF PUBLIC HEARING

Notice is hereby given that the Fort Wayne City Plan Commission will conduct a public hearing on Monday, March 19, 1984 at 7:00 P.M. (EST) in Room #126, City-County Building, One Main Street, Fort Wayne, Indiana on the following proposed vacation of public right-of-way.

Beginning at the intersection of the south property line of First Street and the east property line of Cass Street; thence easterly on and along the south property line of First Street a distance of 120 feet; thence northerly a distance of 50 feet; thence westerly on and along the north property line of First Street a distance of 120 feet to the northeast corner of Cass and First Streets; thence northerly on and along the east property line of Cass Street a distance of 300 feet to the southeast corner Second and Cass Streets; thence westerly a distance of 50 feet to the southwest corner of Second and Cass Streets; thence southerly on and along the west property line of Cass Street a distance of 300 feet to the northwest corner of First and Cass Streets; thence westerly on and along the north property line of First Street a distance of 135 feet to the northeast corner of First Street and a 12 foot alley between First and Second Streets and Wells and Cass Streets; thence southerly a distance of 50 feet to the southeast corner of First Street and a 12 foot alley between First Street and the Penn-Central R.R. and Wells Street and Cass Street; thence easterly on and along the south property line of First Street a distance of 135 feet to the southwest corner of First Street and Cass Street; thence southerly on and along the west property line of Cass Street a distance of 150 feet; thence easterly a distance of 50 feet to the east property line of Cass Street; thence northerly on and along the east property line of Cass Street a distance of 150 feet to the point of beginning.

All interested persons are invited to appear and be heard.

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith
Secretary



The City of Fort Wayne

May 2, 1984

NOTICE OF PUBLIC HEARING ON A STREET VACATION (BILL NO. G-84-03-12)

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, May 15, 1984, at 7:30 P.M., in the Council Conference, Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

Portion of Cass Street extending from the south right-of-way of Second Street to 150 feet south right-of-way line of First Street. Portion of First Street beginning 135 feet west of west right-of-way of Cass Street and extending east for a distance of 305 feet.

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Fort Wayne Common Council

May 2, 1984

NOTICE OF PUBLIC HEARING ON A STREET VACATION
(BILL NO. G-84-03-12)

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, May 15, 1984, at 7:30 P.M., in the Council Conference, Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

Portion of Cass Street extending from the south right-of-way of Second Street to 150 feet south right-of-way line of First Street. Portion of First Street beginning 135 feet west of west right-of-way of Cass Street and extending east for a distance of 305 feet.

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Fort Wayne Common Council

PS Form 3800, Apr. 1976

P32 4565032

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO

John Theisen, Attorne

STREET AND NO.

600 Lincoln Bank

P.O., STATE AND ZIP CODE

Fort Wayne, IN 46802

POSTAGE

CONSULT POSTMASTER FOR FEES

CERTIFIED FEE

SPECIAL DELIVERY

RESTRICTED DELIVERY

OPTIONAL SERVICES

RETURN RECEIPT SERVICE

SHOW TO WHOM AND DATE DELIVERED

SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY

SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY

SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY

TOTAL POSTAGE AND FEES

POSTMARK OR DATE

PS Form 3811, Dec. 1980

● SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☐ Show to whom and date delivered
☒ Show to whom, date, and address of delivery..
2. ☐ RESTRICTED DELIVERY
(The restricted delivery fee is charged in addition to the return receipt fee.)
TOTAL \$

3. ARTICLE ADDRESSED TO:
John Theisen, Attorney
600 Lincoln Bank Tower
Fort Wayne, IN 46802

4. TYPE OF SERVICE:
☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL
ARTICLE NUMBER
P32 4565032

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
5. DATE OF DELIVERY 5/3/84
POSTMARK
6. ADDRESSEE'S ADDRESS (Only if requested)
7. UNABLE TO DELIVER BECAUSE:
7a. EMPLOYEE'S INITIALS

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines	
Head	number of lines	4
Body	number of lines	55
Tail	number of lines	3
Total number of lines in notice		62

COMPUTATION OF CHARGES

62	1	62	.230¢	\$ 14.26
lines,		columns wide equals	equivalent lines at	
cents per line				
Additional charge for notices containing rule or tabular work (50 per cent of above amount)			
Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra				1.00
TOTAL AMOUNT OF CLAIM				\$ 15.26

DATA FOR COMPUTING COST

Width of single column 9.6 picas	Size of type 6 point
Number of insertions 1	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 11 1984

NOTICE OF PUBLIC WORKS
FORT WAYNE
COMMON COUNCIL
(BILL NO. G-84-03-12)

Title CLERK

Drusilla Roose

FOI

State of Indiana
ALLEN County SS:

PUBLISHER'S AFFIDAVIT

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE DAILY a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time the dates of publication being as follows: 5/4/84

Subscribed and sworn to me before this 4th day of May 1984

Notary Public

My commission expires November 29, 1985

Drusilla Roose

Anne M. Perkins

Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

5/4

(Governmental Unit)

Allen

County, IN

To **JOURNAL-GAZETTE** Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) · number of equivalent lines

Head	number of lines
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25
26	26
27	27
28	28
29	29
30	30
31	31
32	32
33	33
34	34
35	35
36	36
37	37
38	38
39	39
40	40
41	41
42	42
43	43
44	44
45	45
46	46
47	47
48	48
49	49
50	50
51	51
52	52
53	53
54	54
55	55
56	56
57	57
58	58
59	59
60	60
61	61
62	62
63	63
64	64
65	65
66	66
67	67
68	68
69	69
70	70
71	71
72	72
73	73
74	74
75	75
76	76
77	77
78	78
79	79
80	80
81	81
82	82
83	83
84	84
85	85
86	86
87	87
88	88
89	89
90	90
91	91
92	92
93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

Body	number of lines
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25
26	26
27	27
28	28
29	29
30	30
31	31
32	32
33	33
34	34
35	35
36	36
37	37
38	38
39	39
40	40
41	41
42	42
43	43
44	44
45	45
46	46
47	47
48	48
49	49
50	50
51	51
52	52
53	53
54	54
55	55
56	56
57	57
58	58
59	59
60	60
61	61
62	62
63	63
64	64
65	65
66	66
67	67
68	68
69	69
70	70
71	71
72	72
73	73
74	74
75	75
76	76
77	77
78	78
79	79
80	80
81	81
82	82
83	83
84	84
85	85
86	86
87	87
88	88
89	89
90	90
91	91
92	92
93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

..... 62 lines, 1 columns wide equals equivalent lines at230¢ \$ 14.26
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) **2 extra**

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type **6** point

Number of insertions 1

Size of quad upon which type is cast6.....

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 4 1984

Title **CLERK**

FORM #904

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the
undersigned **Drusilla Roose**..... who, being duly sworn, says

that he/she is **CLERK** of the

JOURNAL-GAZETTE

a **DAILY** newspaper of general circulation printed and published

in the English language in the city of **FORT WAYNE, INDIANA**

in state and county aforesaid, and that the printed matter attached hereto is a true copy,

which was duly published in said paper for **one time**, the dates of publication being

as follows:

5/4/84

Subscribed and sworn to me before this 4th day of May 1984

Notary Public

November 29, 1985

My commission expires

HEADLINES

Deadline	4:30 p.m. Friday
	4:30 p.m. Monday
	4:30 p.m. Tuesday
	4:30 p.m. Wednesday
	4:30 p.m. Thursday
	4:30 p.m. Friday
	4:30 p.m. Friday

A.M. to 5 P.M.

distance of 300 feet to the southeast corner Second and Cass Streets; thence westerly a distance of 50 feet to the southwest corner of Second and Cass Streets; thence southerly on and along the west property line of Cass Street a distance of 300 feet to the northwest corner of First and Cass Streets; thence westerly on and along the north property line of First Street a distance of 135 feet to the northeast corner of First Street and a 12 foot alley between First and Second Streets and Wells and Cass Streets; thence southerly a distance of 50 feet to the southeast corner of First Street and a 12 foot alley between First Street and the Penn-Central R.R. and Wells Street and Cass Street; thence easterly on and along the south property line of First Street a distance of 135 feet to the southwest corner of First Street and Cass Street; thence southerly on and along the west property line of Cass Street a distance of 150 feet; thence easterly a distance of 50 feet to the east property line of Cass Street; thence northerly on and along the east property line of Cass Street a distance of 150 feet to the point of beginning.

All interested persons are invited to appear and be heard.
Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

Fort Wayne Common Council
(Governmental Unit)
Allen
County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines	4
Head number of lines	55
Body number of lines	3
Tail number of lines	62
Total number of lines in notice	

COMPUTATION OF CHARGES

62 lines, 1 columns wide equals 62 equivalent lines at .230¢	\$ 14.26
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra	1.00
TOTAL AMOUNT OF CLAIM	\$ 15.26

DATA FOR COMPUTING COST

Width of single column 9.6 picas	Size of type 6 point
Number of insertions 1	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose
Title CLERK

NOTICE OF PUBLIC WORKS
FORT WAYNE
COMMON COUNCIL
(BILL NO. G-84-03-12)

Da Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, May 15, 1984, at 7:30 P.M., in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

FC Beginning at the intersection of the south property line of First Street and the east property line of Cass Street; thence easterly on and along the south property line of First Street a distance of 120 feet; thence northerly a distance of 50 feet; thence westerly on and along the north property line of First Street a distance of 120 feet to the northeast corner of Cass and First Streets; thence northerly on and along the east property line of Cass Street a distance of 300 feet to the southeast corner Second and Cass Streets; thence westerly a distance of 50 feet to the southwest corner of Second and Cass Streets; thence southerly on end along the west property line of Cass Street a distance of 300 feet to the northwest corner of First Street and Cass Streets; thence westerly on and along the north property line of First Street a distance of 135 feet to the northeast corner of First Street and a 12 foot alley between First and Second Streets and Wells and Cass Streets; thence southerly a distance of 50 feet to the southeast corner of First Street and a 12 foot alley between First Street and the Penn-Central R.R. and Wells Street and Cass Street; thence easterly on and along the south property line of First Street a distance of 135 feet to the southwest corner of First Street and Cass Street; thence southerly on and along the west property line of Cass Street a distance of 150 feet; thence easterly a distance of 50 feet to the east property line of Cass Street; thence northerly on and along the east property line of Cass Street a distance of 150 feet to the point of beginning.

All interested persons are invited to appear and be heard.
Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time the dates of publication being as follows: 5/4/84

Subscribed and sworn to me before this 4 th day of May 19 84

Notary Public

My commission expires November 29, 1985

Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To

NEW-SENTINEL

P.O. BOX 100

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

4

55

3

62

COMPUTATION OF CHARGES

62 1 62 .230¢ 14.26

..... lines, columns wide equals equivalent lines at \$.....

cents per line

Additional charge for notices containing rule or tahular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra 1.00

TOTAL AMOUNT OF CLAIM \$15.26

DATA FOR COMPUTING COST

Width of single column 9.6 picas Size of type 6 point

Number of insertions 1 Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 4, 19 84

Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time the dates of publication being as follows: 5/4/84

Subscribed and sworn to me before this 4 th day of May 19 84

Notary Public

My commission expires November 29, 1985

Free info
ACCC
BA
LEBR
Include
BA
247
248

for your child,
Fun!

the northwest corner of First and Cass Streets; thence westerly on and along the north property line of First Street a distance of 135 feet to the northeast corner of First Street and a 12' foot alley between First and Second Streets and Wells and Cass Streets; thence southerly a distance of 50 feet to the southeast corner of First Street and a 12 foot alley between First Street and the Penn-Central R.R. and Wells Street and Cass Street; thence easterly on and along the south property line of First Street a distance of 135 feet to the southwest corner of First Street and Cass Street; thence southerly on and along the west property line of Cass Street a distance of 150 feet; thence easterly a distance of 50 feet to the east property line of Cass Street; thence northerly on and along the east property line of Cass Street a distance of 150 feet to the point of beginning.
All interested persons are invited to appear and be heard.
Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

5/4